

SUMMARY OF PROPOSED ADDITIONS, AMENDMENTS & DELETIONS TO RULES

71-01-02 Election Rules - removes social security number as requirement on nomination petition.

71-01-03 Confidential Information Requests - adds parameters for which participant information may be shared without requiring the review of the NDPERS Executive Director and Board.

71-02-01 Definitions - amends the definition of “contribution” to be a percentage of a members salary; adds a definition of “correctional officer”; clarifies “interruption of employment as it applies to the Uniform Service Employment and Re-employment Rights Act and clarifies the impact of leave of absence; adds reference to the law enforcement retirement system in the case of “permanent and total disability”; adds the definition of “retirement allowance; adds definition of “termination of participation” with regard to retirement programs.

71-02-02 Membership - clarifies provision that if an application for the retirement system is not made by a part-time or temporary employee or elected official within specified time, an irrevocable waiver of participation is the default.

71-02-03 Service Credit - limits prior service credit without member contribution to those hired prior to July 1, 2004.

- Removes provisions for purchasing service credit in an alternate retirement system.
- Amends payment provisions to reflect federal requirements when applicable and allows for installment payments as long as the participant remains employed by a participating employer.
- Provides an option for member to request re-instatement of delinquent accounts and makes provision for proration of service credit equaling less than one month to be rounded up to equal one month.
- Make provisions for the certification of sick leave in cases of transfer or termination.
- Adds a new section providing for the employer purchase of service credit or sick leave.

71-02-04 Retirement Benefits - makes provision for applications to be expedited in processing if employer error is documented.

- Broadens level social security tables to reflect all ages between age 62 and normal retirement date under social security statutes.
- Adds reference to new law enforcement retirement system throughout section.
- Streamlines calculation of retirement benefit for individuals with dual service.
- Expands timeframes in which underpayments must be paid out to participants.
- Amends reduced benefit option provisions.

71-02-05 Disability - amends provisions for cancellation of disability benefits upon reaching normal retirement age.

- Adds reference to new law enforcement retirement system throughout the section.
- Makes provision for a review committee to be established for disability applications under the judges retirement system.

71-02-06 Contributions - removes specific reference to enrollment form number.

- Amends written election of employer payment of employee contribution to be at least 31 days prior to effective date.
- Adds provision for the NDPERS Board to set contribution rate for law enforcement retirement system as part of its annual actuarial valuation.

71-02-07 Return to Service - adds provision for processing the death of a member who is re-employed after retirement.

71-02-11 Veterans' Reemployment Rights Act - amendments reflect deletion of reference to the Veterans Re-employment Rights Act and additions provide reference to the Uniform Services Employment and Re-employment Rights Act.

71-03-01 Uniform Group Insurance Program - adds provisions for bid specifications for dental, vision and long term care insurance plans.

71-03-03 Employee Responsibilities - amends pre-existing conditions waiting period to six months

- Adds eligibility for special enrollment for retirees of participating political subdivisions upon verification of distribution subject to qualifying events.

71-03-05 Board Responsibilities clarifies provisions for terminating insurance participation pursuant to late premium payments.

71-03-07 Participation of Political Subdivisions Employer Responsibilities - adds provision for minimum employer contribution to be applied consistently for all eligible employees.

- Makes provision for the participation of temporary employees and prohibits employer contributions for premiums of temporary employees.

71-04-03 Employee Responsibilities - amends requirements for changing beneficiary in deferred compensation program.

- removes reference to distribution of assets in termination section
- Creates new section for distribution of assets.

71-04-04 Retirement Board Responsibilities - removes reference to beneficiary information on participant agreement, amends language pursuant to plan booklets availability, outlines procedure for both retirement board and employer in the event a participant separates from service.

71-04-05 Employee Responsibilities - amends employer responsibilities to provide a monthly report, replacing the semi-annual requirement, using the deferred compensation transmittal of deduction or the approved electronic format.

71-04-06 Provider Responsibilities - amends provider requirements for submitting semi-annual reports to the retirement board.

- Removes reference to NDPERS benefit selection form for provider in fulfilling benefit requests.
- Amends reporting failure timeframe for purposes of assessing a penalty and/or loss of provider status.

71-04-08 Qualified Domestic Relations Orders - adds a new chapter providing for the distribution of funds pursuant to receipt of a qualified domestic relations order as well as procedures.

71-04-09 Uniform Services Employment and Reemployment Rights Act - adds a new chapter with provisions for implementing the Uniform Services Employment and Re-employment Rights Act.

71-05-02 Disability - adds provision for a member of the Highway Patrol to change to a disability benefit from a reduced early retirement benefit and outlines payment of annuity payment procedure in this circumstance.

- Adds provisions for changing from early retirement benefit to disability in the event of an appeal.
- Amends provision for recertification and redetermination, making language consistent with other program language.
- Amends optional benefits, removing 50% Joint and Survivor language.
- Adds provision for cancellation of disability benefits upon reaching normal retirement age.

71-05-04 Service Credit - removes reference to participating member of an alternate retirement system for repurchase and purchase of service.

- Removes reference to purchase of generic service for purposes of meeting normal retirement date.
- Adds provision that participant making installment payments must continue to be employed by a participating employer.
- Provides an option for member to request re-instatement of delinquent accounts
- Makes provision for proration of service credit equaling less than one month to be rounded up to equal one month.
- Provides procedure for documenting unused sick leave for participants in the event of termination or transfer.
- Adds provision for employer purchase of service credit for members of the Highway Patrol.

71-05-05 Normal and Early Retirement Benefits - amends application processing language to be consistent with other program language.

- Amends application for benefits processing procedure to allow for expediting processing in the event of documented employer error.
- Adds reference to the Teachers Insurance and Annuity Association College Retirement Equities Fund for dual membership provisions.
- Expands timeframe in which underpayments must be paid out to participants.

71-05-07 Return to Service - adds provision for processing the death of a member who is re-employed after retirement.

71-06-01 Retiree Health Insurance Credit - establishes procedure for applying retroactive credit of retiree health insurance credits.

71-07-01 Pretax Benefits Program - provides that plan booklet for the section 125 plan will be made available upon request.

71-08-06 Uniform Services Employment and Reemployment Rights Act – adds chapter providing reference to Uniform Services Employment and Reemployment Rights Act for the defined contribution retirement plan.

71-08-07 Additional Employer Contributions -adds chapter providing for the employer purchase of up to 5 years of service credit or sick leave for participant in the defined contribution retirement plan.